IN THE HIGH COURT OF PUNJAB AND HARYANA, CHANDIGARH.

Civil Writ Petition No.8511 of 2005
Date of Decision: 1.9.2006

Jagdish Chander ..Petitioner

Versus

State of Punjab and others ..Respondents.

CORAM: Hon'ble Mr. Justice Viney Mittal
Hon'ble Mr. Justice H.S.Bhalla

Present:- Mr. D.S.Patwalia, Advocate,
for the petitioner.

Mr. Ashok Aggarwal, Addl.Advocate
General with Mr. B.S.Chahal, AAG,Punjab
for the respondents.

VINEY MITTAL, J. (ORAL)

The petitioner has challenged the order dated April 28,2005 (Annexure P-2), whereby his services had been de-regularised.

The primary grievance of the petitioner is that the aforesaid order has been passed by the respondents without affording any opportunity of hearing to the petitioner and without ever serving a show cause notice on him in this regard.

Consequently, it is maintained that the said order is hit by violation of principles of natural justice.

In the written statement filed by the respondents although various other facts have been pleaded, but this fact has not been denied that the order dated April 28,2005 (Annexure P-2) has been passed without ever serving a show cause notice on the petitioner and without ever affording of opportunity of hearing.

In view of the aforesaid fact and without commenting on the various other pleas raised by the petitioner, we allow the present petition and quash order dated April 28,2005 (Annexure P-2). However, the

respondents would be at liberty to pass a fresh order, if so advised, after issuing show cause notice to the petitioner and after taking into consideration the reply filed by the petitioner.

A copy of the order be given dasti on payment of usual charges

(VINEY MITTAL)
JUDGE

(H.S.BHALLA)
JUDGE

01.9.2006
VK